



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of )

BERG et al. )

Application Number: 10/563,273 )

Filed: July 24, 2006 )

For: SINGLE CELL PROTEIN )

Attorney Docket No. ACAP.0013 )

) Art Unit 1645

) Examiner  
Ogunbiyi, Oluwatosin A.

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**COVER LETTER**

Sir:

[ x ] The fee for submission of claims is calculated as shown below:

FOR	TOTAL WITH NEW CLAIMS ADDED	TOTAL CURRENTLY ON FILE	CLAIMS ALREADY PAID	RATE	CALCULATION
Total Claims	38	38	(Over 20)	x \$50	0
Independent Claims	3	3	(Over 3)	x \$210	0
MULTIPLE DEPENDENT CLAIM(S)			PAID	+ \$370	0
REDUCTION FOR FILING BY SMALL ENTITY (note 37 C.F.R. §§ 1.9, 1.27, 1.28). IF APPLICABLE, VERIFIED STATEMENT MUST BE ATTACHED					
				TOTAL	0

In addition, the below-identified communications are submitted in the above-captioned application or proceeding:

- [ x ] Response to Office Action  
(with claim election)  
[ ] Substitute Abstract  
[ ] Preliminary Amendment  
[ ] Information Disclosure Statement

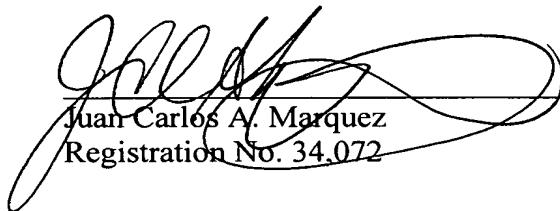
- [ ] Petition for \_\_\_ month Extension-of-Time  
[ ] Terminal Disclaimer  
[ ] \_\_\_ sheets of drawings  
[ ] RCE  
[ ] Other \_\_\_\_\_

- Please charge my **Deposit Account Number** in the amount of \_\_\_\_\_ to cover the fees for \_\_\_\_\_ . A duplicate copy of this paper is enclosed.
- A check in the amount of \_\_\_\_\_ to cover the \_\_\_\_\_ fee is enclosed.
- The Commissioner is hereby authorized to charge any additional fees associated with this communication, or credit any overpayment to **Deposit Account Number 08-1480**.

Respectfully submitted,

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Stanley P. Fisher  
Registration Number 24,344



Juan Carlos A. Marquez  
Registration No. 34,072

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Nanda P.B.A. Kumar  
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Falls Church, Virginia 22042  
(703) 641-4200  
**July 3, 2008**



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In re U.S. Patent Application of )  
BERG et al. ) Art Unit 1645  
Application Number: 10/563,273 )  
Filed: July 24, 2006 )  
For: SINGLE CELL PROTEIN )  
Attorney Docket No. ACAP.0013 )  
Examiner  
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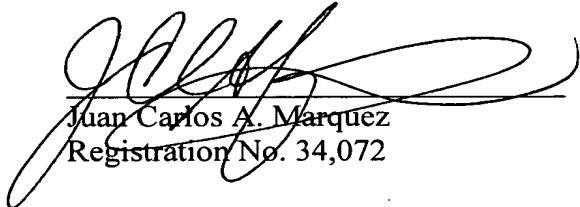
- |  |  |
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| [ ] Substitute Abstract                                  | [ ] Terminal Disclaimer                      |
| [ ] Preliminary Amendment                                | [ ] ___ sheets of drawings                   |
| [ ] Information Disclosure Statement                     | [ ] RCE                                      |
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of )  
BERGE et al. )  
Application Number: 10/563,273 ) Art Unit 1645  
Filed: July 2, 2004 ) Examiner  
For: USE OF A SINGLE-CELL PROTEIN MATERIAL ) Ogunbiyi, Oluwatosin A.  
Attorney Docket No. ACAP.0013 )

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**RESPONSE TO RESTRICTION AND/OR ELECTION REQUIREMENT**

Sir:

This is in response to the Office Action mailed on June 3, 2008, the period of response to which is set to expire on July 3, 2008. Applicant hereby provisionally elects with traverse to further prosecute Group I claims (claims 22-25), and atherosclerosis/coronary heart disease, human and *Methylococcus capsulatus* as species.